IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 20983 of 2005

Between:

G.V.Suryanarayana Rao, S/o. G. Sanyasi Rao,
R/o. C/o. D.V.B.N.Raju MIG-B, 267
Sagarnagar Visakhapatnam.

..... PETITIONER

AND

1. The District Registrar,
   Visakhapatnam.

2. The Sub-Registrar,
   Madhurwada Panchayat, Visakhapatnam.

3. The Mandal Revenue Officer,
   Chinagadila Mandal, Visakhaptnam.

4. D.Appala Narasimha Murthamma,

W/o. D.V.B.N.Raju, R/o. Bangaramma

Temple, Kommadi, Visakhapatnam-41.

...RESPONDENTS

* * *

ORDER:

This writ petition has been filed to declare the action of the respondents 1 to 3 in not registering the sale deed in favour of 4th respondent in respect of the property admeasuring Ac.2-50 cents forming part of Sy.No.158/6 of Kommadi village, Chinagadila Mandal, Visakhapatnam District, covered by patta No.196 on the ground that it was not alienable, as illegal, arbitrary and contrary to G.O.Ms.No.743 Revenue (B) Department, dated 30.04.1963.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents 1 to 3.

3. The Government of Andhra Pradesh in G.O.Ms.No.1117 dated 11.11.1993 issued a clarification stating that Ex-Servicemen are free to sell away their assigned lands, after a period of ten years from the date of assignment. Therefore, there is no impediment for the respondents in selling away the land.

4. The writ petition is allowed, directing the respondents 1 to 3 to register sale deed in favour of 4th respondent in respect of the property stated supra.

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K.C.BHANU, J.

Date: 06th October 2005.

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Note:

Issue CC in two days.

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BSB